

# **EXHIBIT 1**

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Steve TENGLER et al.  
Title: METHOD AND SYSTEM FOR COMMUNICATION  
BETWEEN VEHICLES TRAVELING ALONG A SIMILAR  
PATH  
Appl. No.: 10/813,440  
Filing Date: 3/31/2004  
Examiner: Tan Quang NGUYEN  
Art Unit: 3661  
Confirmation Number: 3778

**DECLARATION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PURPOSE OF DECLARATION**

1. This Declaration is submitted to establish conception of the invention in this application in the United States, on a date before January 30, 2004, which is the filing date of U.S. Published Application US 2005/0003844 A1 to Nishiga et al. ("Nishiga"), and diligence from January 30, 2004, to the March 31, 2004 constructive reduction to practice date. Nishiga was cited by the Examiner in an Office Action dated March 21, 2007, in the above-identified application.

2. The person making this declaration is Director of Engineering Administration and Corporate Planning at Nissan Technical Center North America, Inc. and acting on behalf of the Assignee of the present application, Nissan Technical Center North America, Inc. The person making this declaration is authorized to act on behalf of the Assignee, i.e., to sign the declaration on behalf of the Assignee.

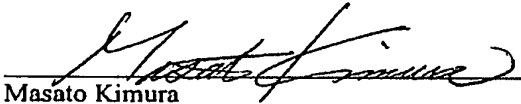
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**FACTS AND DOCUMENTARY EVIDENCE**

3. I have read the Declaration of Mr. Glenn Law (Exhibit 2), one of the attorneys employed by the law firm of Foley & Lardner LLP who participated in the preparation of the present application. To the best of my knowledge, the Declaration of Mr. Law correctly recounts the events and activities surrounding the preparation of the present invention.

4. The attached draft of the patent application of December 9, 2003 (Exhibit 3) is submitted as evidence to show the conception of the invention claimed in this application prior to January 30, 2004.

5. I hereby declare that all statements made herein of our my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Masato Kimura

Director of Engineering Administration and Corporate Planning  
Nissan Technical Center North America, Inc.

Date: 7/19/07